

REMARKS

The Office Action mailed October 6, 2000 has been reviewed and carefully considered. Claim 9 is cancelled. Claims 7- have been amended. Claims 7-10 and 12 are pending in this application, with claim 7 being the only independent claim. Reconsideration of the above-identified application, as amended, and in view of the following remarks is respectfully requested.

In the Office Action mailed October 6, 2000, the Examiner notes the use of trademarks and suggests that trademarks be capitalized and accompanied by their generic terminology. The trademarks have been capitalized as suggested. Furthermore, the trademarks are used as a list of thermoplastic permanent adhesives.

Claim 2 is objected to as containing a minor informality. Claim 2 is amended as suggested in the Office Action. Accordingly, it is respectfully requested that the objection to claim 2 now be withdrawn.

Claims 7-12 stand rejected under 35 U.S.C. §112, first paragraph, as containing subject matter not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. More specifically, the Examiner states that specification fails to provide any disclosure of a structure that would teach the limitation in claim 7 which requires that the adhesive applied to the glass is prevented from penetrating the glass fiber fabric. The Examiner states that the specification fails to teach a fabric that resists penetration and fails to disclose particular adhesives that would be used.

The original specification states at page 2, lines 13-14, that the adhesive are water insoluble hot melt adhesives or pressure sensitive hot melt adhesives. The specification further discloses, starting at page 2, line 17, a list of specific adhesives which may be used.

Furthermore, page 3, starting at line 5, explains that the amount and fluidization of the adhesive is designed to that no adhesive penetrates that glass fiber fabric. Claim 7 has been amended and now recites that the “thermoplastic permanent adhesive having a degree of fluidization designed for preventing the thermoplastic long-term adhesive from penetrating said glass fiber fabric and contaminating said second side of said glass fiber fabric.” In view of the above amendments and remarks, it is respectfully submitted that the original specification provides a description enable those skilled in the art to make and use the invention of claim 7.

Claims 7-12 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite. The Examiner states that claims 7 and 12 are indefinite because they use the work “including”. The Examiner suggests replacing the term with “comprising”. It is respectfully submitted that the term “including” is proper in a claim and is synonymous with the term “comprising” (See MPEP 2111.03 and referenced cases).

Claim 7 is indefinite because of the term “long-term adhesive”. The present application is a translation of a PCT International application. The literal translation of the term “Dauerkleber” is “long-term adhesive”. Another translation of the term is “permanent adhesive”, which the Examiner will know as a term of art. The specification has been amended to change each instance of “long-term adhesive” to “permanent adhesive”.

Claim 10 is indefinite because of the term “substantially” before impermeable. This claim has been amended to require a structure that is designed to prevent penetration by the permanent adhesive.

Claim 11 is indefinite because the of the term “interrupted”. Claim 11 is cancelled and the limitations are now incorporated into claim 7. The original specification at page 3, line 4-5, states that the adhesive is applied to the glass fiber fabric in dots at the raised points of the glass

fiber fabrics. Therefore, the layer is not a continuous sheet of adhesive. Rather, it is a discontinuous or interrupted sheet.

In view of the above amendments and remarks, it is respectfully requested that the rejection of claims 7-12 as indefinite now be withdrawn.

Claims 7-12 stand rejected under 35 U.S.C. § 102(b) as anticipated by, or under 35 U.S.C. §103 as unpatentable over XP-002052603 (Japanese Patent No. 4-339648 (JP '648)), XP-002052605 (Japanese Patent No. 1-103435 (JP '435)), XP-002052604 (Japanese Patent No. 1-139252 (JP '252)). Claims 7-12 stand rejected under 35 U.S.C. §103 as unpatentable over GB 2 171 956 (GB '956) in view of JP '648, JP '435, JP '252.

Before discussing the prior art and the Examiner's rejections of the claims in view of the prior art, a brief summary of the present invention is appropriate. The present invention is directed to a glass fiber fabric wallpaper including a glass fiber fabric layer with a thermoplastic permanent adhesive adhering directly on one side of the glass fiber fabric layer. The thermoplastic permanent adhesive is arranged on the glass fiber fabric so that it adheres to raised points on the one side of the fabric and therefore forms an interrupted layer. Furthermore, the fluidization and amount of the permanent adhesive on the glass fiber fabric are arranged so that the permanent adhesive does not penetrate the glass fiber fabric area. This allows the other side of the glass fiber fabric layer to be painted immediately after being placed on a wall.

GB '956 discloses a self adhesive covering material for a wall which includes a layer of fabric 12, a barrier paper 14 fixed to a side of the fabric, and a layer of pressure sensitive adhesive 16. Accordingly, this reference teaches that a paper barrier must be arranged between the glass fiber fabric layer and the pressure sensitive adhesive layer. This reference also fails to teach that the adhesive layer is arranged on the raised areas of the glass fiber, thereby forming an

interrupted layer. Lastly, since the adhesive of GB '956 is arranged on a paper barrier layer, GB '956 fails to teach or suggest that the adhesive has a degree of fluidization designed for preventing the thermoplastic long-term adhesive from penetrating the glass fiber fabric and contaminating the second side of the glass fiber fabric.

JP '648 discloses a non-combustible interior material having a glass fiber felt layer impregnated with a non-combustible solution including Ca silicate. The same solution is applied to one side of the glass fiber felt layer to laminate a glass fiber fabric to the felt. A layer of fluoroplastic is then applied to the glass fiber fabric layer. This reference fails to teach a thermoplastic adhesive applied directly to a glass fiber fabric. Furthermore, this reference fails to teach that the layer of adhesive is applied to the raised points of the glass fiber thereby forming an interrupted layer. Finally, this reference fails to teach or suggest that the adhesive has a fluidization designed so that the adhesive does not penetrate the glass fiber fabric. In JP '648, it does not matter if the resin penetrates the glass fiber fabric because the other side of the glass fiber fabric is laminated to the glass fiber felt.

JP '435 discloses a coated sheet with an adhesive layer. This reference discloses a core layer which may include a glass fiber and a pressure sensitive adhesive sheet of rubber formed on the back surface of the sheet. Therefore, this reference teaches that the rubber sheet is arranged between the glass fiber core layer and the wall and therefore fails to teach that the adhesive can be applied directly to the glass fiber fabric. Furthermore, this reference fails to teach that the layer of adhesive is applied to the raised points of the glass fiber thereby forming an interrupted layer. Since there is a rubber layer between the adhesive and the glass fiber fabric, this reference fails to teach or suggest that the adhesive has a fluidization designed so that the adhesive does not penetrate the glass fiber fabric.

JP '252 discloses an easy adhesion type decorative sheet for wall including a pressure sensitive waterproof rubber sheet layer, a substrate sheet layer, a waterproof coating layer and a top coat layer, laminated in this order from the wall to the face of the sheet. Since the rubber sheet layer is arranged between the substrate sheet layer and the wall, this reference fails to teach that the adhesive is applied to the glass fiber fabric. Furthermore, it also fails to teach that the adhesive has a fluidization designed not to penetrate the glass fiber. Finally, this reference also fails to teach that the adhesive is applied as an interrupted layer on the raised points of the glass fiber.

In view of the above remarks, it is respectfully submitted that independent claim 7 is allowable over GB '956, JP '648, JP '435, and JP '252, individually, and taken together. Since dependent claims 8-10 and 12 depend from independent claim 7, these dependent claims are allowable for the same reasons as claim 7.

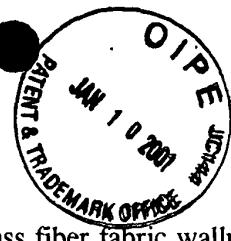
The application is now deemed to be in condition for allowance and notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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Page 2, please amend the paragraph starting at line 10 as follows:

The object is met in accordance with the invention by a glass fiber fabric wallpaper which is provided on one side with a thermoplastic permanent adhesive. The permanent adhesive consists preferably of a water-insoluble hot melt or pressure-sensitive hot melt adhesive.

Page 2, please amend the paragraph starting at line 15 as follows:

--According to the present invention, a thermoplastic permanent adhesive is provided on one side of a glass fiber fabric wallpaper for holding the wallpaper on a wall substrate. Thermoplastic permanent adhesives are available commercially and are described, for example, in Römpf Chemie-Lexikon, 9th Edition, George Thieme Verlag, Stuttgart, New York, 1995, page 4037. Examples of suitable hot melt adhesives are "HELMITHERM 42034" from Forbo-Helmitin GmbH, Pirmasens, "TIVOLMELT 9058/30", "TIVOMELT 9041" and "TIVOMELT 9162" from Tivoli Werke Ag, Hamburg, and "TECHNOMELT Q 5304" from Henkel KgaA, Dusseldorf. The ductile pressure-sensitive hot melt adhesives feature particularly long bond times, contain no hazardous ingredients, and are not self-igniting. The permanent adhesive may also undergo post-crosslinking. The permanent adhesive is applied by heat treatment to one side of the glass fiber fabric and after cooling is permanently tacky.--

Page 3, please amend the paragraph starting at line 2 as follows:

--The permanent adhesive is applied in conventional manner, for example, by applying an adhesive melt by knife coater or rollers, so that the permanent adhesive adheres only in specific locations such as dots at the raised points of the glass fiber fabric, thereby forming an interrupted or discontinuous layer of the permanent adhesive. In respect of the amount and degree of

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fluidization, especially of the hot melt adhesive, the application process is designed so that no permanent adhesive penetrates the glass fiber fabric and contaminates the glass fiber fabric wallpaper surface that is to be coated with paint, if desired. The prevention of the permanent adhesive from penetrating the glass fiber fabric may be additionally assisted by the structure of the glass fiber fabric. Therefore, it is also possible to pretreat the glass fiber fabric wallpaper surface facing way from the wall so that after the glass fiber fabric wallpaper has been mounted it can be painted immediately without priming beforehand. This property as well leads to an acceleration and simplification of the wallpapering and painting operation.--

Page 3, please amend the paragraph starting at line 18 as follows:

--The self-adhesive glass fiber fabric wallpaper of the invention may also be sold in rolls in the manner customary for glass fiber fabric wallpapers. Contamination of the facing side or premature sticking of the facing side to itself may be prevented by a release film which is made, for example, of polyethylene and is easily removable prior to use on the permanent adhesive reverse side of the wallpaper. Instead of polyethylene, the release film may also comprise a release paper.--

Page 4, please amend the paragraph starting at line 1 as follows:

--In contrast to the known self-attaching glass fiber fabric wallpapers the glass fiber fabric wallpaper of the invention is self-adhesive. That is, the wallpaper of the present invention can be mounted on the wall without the use of an additional adhesive. The interrupted layer of thermoplastic permanent adhesive brings about durable fixing which by virtue of subsequent

additional crosslinking, indeed, produces an increasingly stronger connection between the glass fiber fabric wallpaper and the wall.

Page 4, please amend the paragraph starting at line 10 as follows:

--In comparison to the self-attaching glass fiber fabric wallpaper known from the prior art, the self-adhesive glass fiber fabric wallpaper of the present invention has a range of advantages. First of all, treating the surface of the wall beforehand is unnecessary. Existing wallpapers, provided they themselves are still attached well to the wall, may be used as a substrate for the new self-adhesive glass fiber fabric wallpaper. Following the mounting of the glass fiber fabric wallpaper, the side facing into the room may be immediately painted since it is not necessary to wait until the permanent adhesive has dried. Therefore, the requirement of applying an adhesive to the reverse of the glass fiber fabric wallpaper is eliminated by the present invention, and there is no time delay between mounting and painting the glass fiber fabric wallpaper.--

Page 4, please amend the paragraph starting at line 25 as follows:

--Removal of the wallpaper of the present invention from the wall is readily possible because the affinity of the adhesive to the wallpaper is higher than the affinity of the permanent adhesive to the substrate.

IN THE CLAIMS:

Cancel claim 11, without prejudice.

Amend claims 7-10 and 12, as follows:

7. (Amended) A self-adhesive glass fiber fabric wallpaper sheet, comprising:

a sheet of glass fiber fabric having a first side having raised points and a second side; and

an interrupted layer including a thermoplastic permanent adhesive adhering to said raised points of said first side of said sheet of glass fiber fabric for holding said sheet of glass fiber fabric to a wall substrate, said thermoplastic permanent adhesive having a degree of fluidization designed for preventing the thermoplastic long-term adhesive from penetrating said glass fiber fabric and contaminating said second side of said glass fiber fabric.

8. (Amended) The glass fiber fabric wallpaper sheet of claim 7 wherein said thermoplastic long-term adhesive is water insoluble.

9. (Amended) The glass fiber fabric wallpaper sheet of claim 7, wherein said thermoplastic long-term adhesive comprises one of a water-insoluble hot melt and a pressure sensitive hot-melt adhesive.

10. (Amended) The glass fiber fabric wallpaper sheet of claim 7, wherein said glass fiber fabric sheet comprises a structure that resists penetration by said thermoplastic long-term adhesive.

12. (Amended) The glass fiber fabric wallpaper sheet of claim 7, further comprising a removable one of a release film and a sheet of paper on said layer including a thermoplastic long-term adhesive.